

**STATE OF WASHINGTON  
Department of Natural Resources**

**REQUEST FOR QUALIFICATIONS AND QUOTATIONS  
(RFQQ) No: 10-234**

**Project Title: Northeast Region ARRA Fuels Reduction**

**Proposal Due Date: February 12, 2010**

**Period of Performance: April 2010 – November 2011**

**Bidder Eligibility:** This procurement is open to those Contractors who satisfy the minimum qualifications stated herein and that are available for work in Washington State.

**Funding:** These projects are funded with funds made available through the American Recovery and Reinvestment Act.

**Contents of the Request for Qualifications and Quotations:**

- 1. Introduction**
- 2. General Information**
- 3. Proposal Contents**
- 4. Evaluation and Award**
- 5. Exhibit**
  - A. Contract with General Terms and Conditions**
  - B. Quote Sheet**

## **1. - INTRODUCTION**

### **1.1 Purpose and Background**

The Washington State Department of Natural Resources, hereafter referred to as “DNR” is initiating this Request for Qualifications and Quotations (RFQQ) to solicit proposals from eligible firms interested in doing fuels modification work.

This work is identified within the Ferry County and Stevens County Community Wildfire Protection Plans. The purpose and intent behind this work is to reduce the likelihood of catastrophic wildfire in the areas where fuels reduction work will be applied.

### **1.2 Scope of Work**

The apparent successful contractor will be expected to provide labor, transportation, materials, and equipment for fuels reduction projects. Work will consist of fuel modification, vegetative clearing, tree thinning and pruning, chipping, and debris disposal by hand and/or mechanized crews. Hand crews will consist of a foreman, two or more laborers, a chipper, transportation and all equipment and supplies to perform the tasks. Mechanical crews will consist of mastication or mulching machines with operator, transportation and all equipment and supplies to perform the tasks. The projects in Stevens County are located in the area of Northport, Onion Creek, Chewelah Basin, Kettle Falls, Kettle Wedge and Ford. The project in Ferry County is located in the Republic area. Multiple contracts will be issued for these projects. Rates quotes are requested for each of the geographic areas listed above. A quote form with a list of the project areas is attached. Please use this form when submitting bids.

### **1.3 Minimum Qualifications**

Bidders must be licensed to do business in the state of Washington. The contractor must have a minimum of three field seasons of experience conducting fuels reduction projects.

### **1.4 Funding**

Any contract(s) resulting from this RFQQ will be funded with the American Recovery and Reinvestment Act of 2009 (Recovery Fund). Because contract(s) are funded from the Recovery Fund, the contractor must meet the additional requirements as specified in the contract attached as Exhibit A.

CFDA #10.688  
Management

Fund Title: Recovery Act Funding for Wildland Fire

### **1.5 Period of Performance**

The period of performance of the contract resulting from this RFQQ is tentatively scheduled for 04/01/09 to 11/30/11. Any amendments extending the period of performance shall be at DNR’s sole discretion.

## SECTION 2 - GENERAL INFORMATION

### 2.1 RFQQ Coordinator

The RFQQ Coordinator is the sole point of contact in the DNR for this procurement. All communication between the Bidders and the DNR shall be with the RFQQ Coordinator, as follows:

Name	Steve M. Harris
Mailing address Street Address	P.O. Box 190
City,State,Zip Code	Colville, WA 99114
Phone Number	(509) 685-2712
FAX Number	(509) 684-7474
E-Mail Address	steve.harris@dnr.wa.gov

Communication with individuals other than the RFQQ Coordinator will be considered unofficial and non-binding on the DNR. Bidders are to rely on written statements issued by the RFQQ Coordinator. Communication directed to parties other than the RFQQ Coordinator may result in disqualification of the Bidder.

### 2.2 Estimates Schedule of Activities

Proposals Due	<b>February 12, 2010</b>
Evaluate Proposal	February 16, 2010
Announce Apparent Successful Contractor/Notification to Unsuccessful Bidders	February 17, 2010
Negotiate Contract	February 24, 2010
Sign Contract and Begin Work	March 15, 2010

The DNR reserves the right to revise this schedule.

### 2.3 Submission of Proposals

Bidders are required to submit four (4) copies of their proposal. One copy must have an original signature and three copies can have photocopied signatures.

The proposal is to be sent to the RFQQ Coordinator at the address listed in Section 2.1 above. The envelope should be clearly marked to the attention of the RFQQ Coordinator.

The proposal, whether mailed or hand delivered, must arrive at the DNR no later than 4:30 pm, local time, on the date specified in Section 2.2 above.

Bidders should allow for normal mail delivery time to ensure timely delivery of their proposals to the RFQQ Coordinator. The Bidder assumes the risk for the method of delivery they choose. The DNR assumes no responsibility for delays caused by a delivery service.

Late submittal of a proposal will not be accepted and will be automatically disqualified from further consideration. All proposals and any accompanying documentation become the property of the DNR and will not be returned.

## **2.4 Public Disclosure**

Proposals submitted in response to this competitive procurement shall become the property of the DNR and are subject to disclosure under the Public Records Act (RCW 42.56). All information in the proposal the Bidder claims is exempt from disclosure under the provisions of RCW 42.56 must be clearly designated as such by the Bidder. The page must be identified and the particular exemption from disclosure relied upon by the Bidder must be identified. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Bidder has marked as exempt, the DNR will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, the DNR will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, the DNR shall maintain the confidentiality of the Bidder's information per the court order.

A charge will be made for copying and shipping records to a requester as outlined in RCW 42.56. No fee shall be charged for inspection of contract files, but twenty-four (24) hours notice to the RFQQ Coordinator is required. All requests for information should be directed to the RFQQ Coordinator.

## **2.5 Failure to Comply**

If the Bidder fails to comply with any requirement of the RFQQ, DNR will reject the proposal.

## **2.6 Signatures**

Proposals must be signed and dated by a person authorized to bind the Bidder to a contractual arrangement, e.g., President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship.

## **2.7 Revisions to the RFQQ**

The DNR reserves the right to revise the RFQQ and/or to issue addenda to the RFQQ. If DNR finds it necessary to revise any part of the RFQQ, addenda will be provided to all those who received the RFQQ.

The DNR also reserves the right to cancel or to reissue the RFQQ in whole or in part, prior to execution of a contract.

**2.8 Rejecting Proposals**

The DNR reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract from this RFQQ.

**2.9 Acceptance Period**

Proposals must provide 60 days for acceptance by DNR from the due date for receipt of proposals.

**2.10 Responsiveness**

All proposals will be reviewed by the RFQQ Coordinator to determine compliance with administrative requirements and instructions specified in this RFQQ. The Bidder is specifically notified that failure to comply with any part of the RFQQ may result in rejection of the proposal as non-responsive.

The DNR also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

**2.11 Most Favorable Terms**

The DNR reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal shall be submitted initially on the most favorable terms that the Bidder can propose. There will be no best and final offer procedure. DNR does reserve the right to contact a Bidder for clarification of the proposal during the evaluation process. In addition, if the Bidder is selected as an apparent successful contractor, DNR reserves the right to enter into contract negotiations with the apparent successful contractor, which may include discussion regarding the terms of the proposal. Contract negotiations may result in incorporation of some or the Bidder's entire proposal. The Bidder is to be prepared to accept this RFQQ for incorporation into a contract resulting from this RFQQ. It is also understood that the proposal will become part of the official procurement file.

**2.12 Obligation to Contract**

This RFQQ does not obligate the state of Washington or the DNR to contract for services described.

**2.13 Cost to Propose**

The DNR will not be liable for any costs incurred by the Bidder in preparation of the proposal submitted in response to this RFQQ, or any other activities related to responding to this RFQQ.

**2.14 Commitment of Funds**

The Commissioner of Public Lands or his delegate are the only individuals who may legally commit the DNR to the expenditures of funds for contracts resulting from this RFQQ. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

## **2.15 Indemnity and Insurance Coverage**

The contractor must indemnify and have adequate insurance coverage to hold DNR and the State harmless for any claims arising out of or resulting from the contract. See the contract at Exhibit A for the specific requirements.

## **SECTION 3 – PROPOSAL CONTENTS**

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal, but should assist the Bidder in preparing a thorough response.

Items marked as “mandatory” must be included as part of the proposal for the proposal to be considered responsive, however, these items are not scored. Items marked “scored” are those that are awarded points as part of the evaluation conducted by the evaluation team.

### **3.1 Qualifications Section**

The qualifications section of the proposal must contain information that will demonstrate to the evaluation committee the Bidder’s understanding of the types of services proposed, the firm’s ability to accomplish them and the ability to meet tight time frames.

#### **3.1.1 Business Information (Mandatory)**

A. State the Bidder’s business name, address, e-mail address, principal place of business, telephone number and fax number of legal entity or individual with whom the contract would be made.

B. Specify the legal status of the business (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists.

C. Include the Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification number issued by the state of Washington Department of Revenue.

D. If the Bidder has had a contract terminated for default in the last five (5) years, describe such incident. Termination for default is defined as notice to stop performance due to the Bidder’s non-performance or poor performance and the

issue of performance was either (a) not litigated due to inaction on the part of the Proposal, or (b) litigated and such litigation determined that the Proposer was in default.

Submit full details of the terms for default including the other party's name, address, and phone number. Present the Bidder's position on the matter. The DNR will evaluate the facts and may, at its sole discretion, reject the proposal on the ground of the past experience. If no such termination for default has been experienced by the Bidder in the past five (5) years, so indicate.

### **3.1.2 Qualifications (Scored)**

#### **1. Experience (Scored)**

- A. Identify the number of years the Bidder has successfully provided the type of service as being requested within this proposal.
- B. Specify the Bidder's level of knowledge and experience in the following areas: 1. Conducting fuel reduction projects, pre-commercial thinning, pruning, hand slash abatement, mechanical slash abatement and other silvicultural work; 2. Defensible space zone development in the wildland urban interface; and 3. Implementing government agreements and contracts.
- C. State Bidder's capacity and ability to complete this scope of work within the period of performance in addition to meeting the administrative reporting and invoicing requirements in a timely manner.
- D. Include a list of contracts the Bidder has had during the last two years that relate to the Bidder's ability to perform the services needed under this RFQQ. List contract reference numbers, contract period of performance, contact persons, telephone numbers, and fax numbers/e-mail addresses.

#### **2. Staffing (Scored)**

Provide a description of the proposed crew structure to include number of persons on crew and their experience levels to be used on this project, including any subcontractors.

#### **3. Schedule (Scored)**

Describe the Bidder's ability to meet deadlines, especially on a short-time frame, and give examples of how past tight deadlines have been successfully met.

#### **4 References (Mandatory)**

List names, addresses, telephone numbers, and fax numbers/e-mail addresses of three (3) business references for whom work has been accomplished and briefly describe the type of service provided. The Bidder must grant permission to the DNR to contact the references. Do not include current DNR staff as references. References will be contacted for the top-scoring proposal(s) only.

## **SECTION 3.2 - COST QUOTATION (SCORED)**

### **3.2.1 Cost Details**

The evaluation process is designed to award this procurement not necessarily based on least cost, but rather to the Bidders who best meet the requirements of this RFQQ.

Quotes will be accepted on an hourly basis for mechanical (machine and operator), chipper, foreman and laborers. Include all contractor costs to perform work, including; equipment, supplies, fuels, travel, transportation and general business expenses. Quotes may be submitted for hand crew work only, mechanical only or the combination of hand and mechanical work. Identify the type, size, and capabilities of the equipment.

Contractors may submit cost per hour quotes for any of the following geographic areas:

- Northport, Stevens County, Washington
- Onion Creek, Stevens County, Washington
- Chewelah Basin, Stevens County, Washington
- Kettle Falls, Stevens County, Washington
- Kettle Wedge (Sheep & Sand Creek), Stevens County, Washington
- Ford, Stevens County, Washington
- Republic, Ferry County, Washington

A Cost Quote Sheet is attached for submission of hourly costs for each project area. Additional information may be submitted if desired.

The cost details must contain the following information:

- Identify all costs and expenses, by line item, e.g., hourly wage rates in compliance with federal prevailing wage requirements, equipment rates, overhead, etc., to be charged for the services necessary to accomplish the objectives of the contract.
- Any subcontract costs. Costs for subcontractors are to be broken out separately.

### **3.2.2 State Sales Tax**

Bidders are required to collect and pay Washington state sales tax, if applicable.

## **SECTION 4 – EVALUATION AND CONTRACT AWARD**



#### 4.1 Evaluation Weighting and Scoring

The following weighting and points will be assigned to the proposal for evaluation purposes:

Pricing Details	40 points (max)
Qualifications of the Bidder	<u>60 points (max)</u>
Experience	<u>35 points (maximum)</u>
Staffing	<u>15 points (maximum)</u>
Schedule	<u>10 points (maximum)</u>

TOTAL EVALUATION POINTS    100 points (max)

#### 4.2 Notification to Unsuccessful Bidders

Firms whose proposals have not been selected for further negotiation or award will be notified via e-mail at the e-mail provided in the proposal.

#### 4.3 General Terms and Conditions

The apparently successful contractor(s) will be expected to enter into a contract with the DNR which is substantially the same as the contract attached as Exhibit A, including the DNR General Terms and Conditions.

#### 4.4 Protest Procedure

Bidders who responded to this solicitation may file a protest to the selection of the winning proposals with the RFQQ Coordinator within three (3) business days after contract award.

Bidders protesting this selection shall follow the procedures described below. DNR will not consider protests that do not follow these procedures. This protest procedure constitutes the sole administrative remedy available to Bidders under this procurement.

All protests must be in writing and signed by the protesting party or an authorized Agent. The protest must state the grounds for the protest with specific and complete statement of the action(s) being protested. A description of the relief or corrective action being requested should also be included. All protests shall be addressed to the RFQQ Coordinator.

Only protests raising one or more factually supportable issues concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of an evaluator;
- Errors in computing the score;
- Non-compliance with procedures described in the procurement document.

When DNR receives a protest, DNR will hold a protest review. The Commissioner of Public Lands or his delegate will consider all available facts and issue a decision in five (5) business days of receiving the protest. If additional time is required, the protesting party will be notified of the delay.

If a protest might affect the interest of other Bidders that submitted a proposal, those Bidders will be given an opportunity to submit its views and any relevant information on the protest to the RFQQ Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold the DNR's action; or
- Find only technical or harmless errors in the DNR's acquisition process and/or conduct and determine the DNR to be substantially in compliance and reject the protest; or
- Find merit in the protest and provide the DNR options which may include:
  - Correct the errors and re-evaluate all proposals
  - Reissue the solicitation document
  - Make other findings and determine other courses of action as appropriate.

If the DNR determines that the protest is without merit, the DNR will enter into a contract(s) with the apparently successful contractor(s).

Approved as to form only by  
Michael Rollinger, AAG  
October 22, 2009